

Art in Private Development

480-350-5160

www.tempe.gov/AIPD



Ordinance

Art in Private Development: The goal of the city of Tempe's Art in Private Development (AIPD) ordinance is to beautify the community with a wide variety of high-quality art installations. AIPD enhances the identity and character of the Tempe community making it more appealing to residents and helps to further attract visitors.

Tempe's Zoning and Development Code; Section 4-407 www.tempe.gov/zoning

- The property owner(s) of any project that contains more than fifty thousand (50,000) square feet *net floor area* of commercial or office use within any zoning district, or is a phase of a larger project approved after Feb. 24, 1990, that contains a total of more than fifty thousand (50,000) square feet *net floor area* of commercial or office use within any zoning district, shall contribute to Art in Private Development. The art contribution shall take the form of either on-site installation of exterior artwork or an equivalent cash donation to the Tempe Municipal Arts Fund. *Net floor area* means the sum of all floor areas (including mezzanines, outdoor retail and dining areas) devoted to an activity, excluding exterior walkways and the thickness of exterior walls.
- The developer's investment in artwork is based on the amount of square footage of the *net floor area* dedicated to commercial or office use, and is adjusted on Feb. 1 of each year based on the Consumer Price Index for All Urban Consumers (CPI-U) of the previous year.
2011 value: \$0.43 per square foot.
2012 value: \$0.43 per square foot.
2013 value: \$0.44 per square foot.
2014 value: \$0.44 per square foot.
2015 value: \$0.44 per square foot.

Eligibility and Restrictions

1. Artwork: On-site installation of applicant-selected, exterior artwork.
2. Arts Fund Contribution: An equivalent cash donation to the Tempe Municipal Arts Fund

ELIGIBILITY

Artwork designs based on:

1. **Professional Artist:** educational background in the arts, and/or arts accomplishments such as gallery or museum exhibits and completion of public art projects.
2. **Public Visibility of Artwork:** proposed artwork must be an on-site installation of exterior artwork visible and accessible to the public at all times.
3. **Budget:** Itemized budget that meets the required art investment for the development.

Examples of art projects to consider are;

- One-of-a-kind building features and enhancements designed by artists such as gates, and benches,
- Artist-designed landscape art enhancements such as walkways, bridges or art features within a garden,
- Sculpture - freestanding, wall-supported or suspended,
- To view images of completed artwork, visit: www.tempe.gov/AIPD

Budget may include;

- Professional artist's budget, including artist fees, materials, assistants' labor costs,
- insurance, permits, taxes, business and legal expenses,
- Fabrication and installation of the artwork,
- Site preparation,
- Structures enabling the artist to display the artwork,
- Acknowledgment plaque identifying the artist, artwork and development.

RESTRICTIONS

- Costs for maintaining and operating artwork are not eligible
- Business logos or art that incorporates a logo
- Directional or way finding elements such as supergraphics and signage
- Mass-produced "art objects" such as fountains, statuary or playground equipment
- Standard landscape or hardscape elements which would normally be associated with the project

For assistance and questions, contact Maja Aurora: 480-350-5160; maja_aurora@tempe.gov

Process

1. **SPR – Site Plan Review** – Applicant electronically submits project plans for City to review. Applicant will receive the AIPD Guidelines, an explanation of the AIPD process and AIPD staff contact information.
2. **Contact AIPD Staff** – Discuss concepts, budget, location and visibility of proposed artwork as well as possible artists.
3. **Select Professional Artist** – Artist must show educational background in the arts, and/or arts accomplishments such as gallery or museum exhibits, and completion of public art projects.
4. **DPR – Development Plan Review** – Plans are submitted for formal entitlement processing of design of project. Indicate where the artwork is proposed (generally on the site plan/landscape plan and elevations if applicable). The DPR submittal should include a brief description of the art type (i.e. NOT design, but identify a sculpture, bridge, entry way, shade structure, mural, etc.). This explanation assists the Development Review Commission in understanding that the art is being considered as part of the overall design of the site and to ensure that there are no conflicts with retention, landscaping, ROW, etc.
5. **Submit Artwork Plans to AIPD Staff** – (1) Narrative description of proposed artwork (2) Scaled construction drawings or models of the artwork including site plan and landscape plan showing the proposed artwork in the development's context. (3) Detailed Budget. (4) Artist Resume and (5) Artist Contract between the developer and artist.
6. **TMAC – Presentation to Tempe Municipal Arts Commission** – A presentation given by the applicant (or a representative) and the artist(s) is required. TMAC reviews the proposed artwork plan, its visibility to the public, and its context within the development.
7. **PC – Plan Check** – Building construction set reviewed for structural, mechanical, planning, etc. Artist construction documents must be sent to Planning Plan Reviewer for review and approval.
8. **BP – Building Permit** – Released after all issues in development construction document set are resolved, may include artwork if building permit is required. If there is a need to delay, a waiver is required to allow Building Permits to be issued prior to artist's construction documents.
9. **Inspection of installed artwork** – Contractor/Artist/ Representative of the AIPD piece must contact Planning Inspector for AIPD signoff prior to receiving a Building Final Inspection (CofO)
10. **CofO – Certificate of Occupancy** – Artwork must be installed and completed before a Certificate of Occupancy will be issued. If there is a need to delay due to artist schedule, the temporary CofO shall be issued with a contingency regarding a deadline to complete the artwork.